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5 BILL NO. G- 83-04-32 (as amended)

6 GENERAL ORDINANCE NO. G- \_\_\_\_\_

7 AN ORDINANCE MAKING ADDITIONS TO  
8 RULES OF THE COMMON COUNCIL OF THE  
9 CITY OF FORT WAYNE, INDIANA, PERTAINING  
TO ABSENT, ILL OR INCAPACITATED  
MEMBERS THEREOF.

10 Pursuant to authority conferred upon it by law, the  
11 Common Council of the City of Fort Wayne, Indiana, does hereby  
12 enact the following which reads as follows:

13 Section 1. Members of the Common Council, absent,  
14 ill or incapacitated.

15 Whenever a member of the Common Council shall be absent  
16 from the City, ill, or incapacitated, he or she may submit his  
17 or her vote on pending ordinances and resolutions in writing  
18 for all regular and special meetings of the Common Council  
19 and all Committee Sessions, subject to the following restric-  
20 tions:

21 a. The absent Council member shall state, under oath,  
22 the facts surrounding his or her absence and the vote to be  
23 recorded on a form approved by the Fort Wayne Common Council  
24 and submit same to the Clerk of the City at least 24 hours  
25 prior to the meeting at which the ordinance or resolution is to  
26 be voted upon.

27 b. At the meeting, the Clerk of the City, shall recite  
28 the vote of the absent Council member when his or her name is  
29 called during the roll call on any committee vote or formal vote.

30 Section 1. Whenever a member of the Common Council shall  
31 have been absent from 4 or more consecutive committee sessions,  
32 the Presiding Officer shall designate the next regular meeting  
33 of the Common Council for the Common Council to determine, by  
34 majority vote, whether the body should name a temporary  
35 replacement for the absent member to be chosen from the <sup>same</sup> district  
and political party represented by the absent member and pursuant to I.C.36-4-6-2.

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5 If a majority of the Common Council votes to  
6 temporarily replace the absent member, it shall proceed to  
7 nominate and elect a temporary replacement in accordance with  
8 the rules and procedures adopted by the Common Council for the  
9 special election. The individual chosen to replace the absent  
10 member shall serve as though duly elected until one of the  
11 following occurs:

12 a. The absent member resigns or is removed in  
13 accordance with IC 36-4-6-6; or,

14 b. The absent member delivers a sworn statement of  
15 his or her intention to attend a regular session of the Common  
16 Council at least 24 hours prior to said session and does attend;  
17 or,

18 c. Until 5 months elapses from the date of the  
19 election of the temporary replacement.

20 Upon the occurrence of either a. or c., above, a  
21 permanent replacement shall be elected pursuant to Indiana Code  
22 Code\_\_\_\_\_.

23 The Common Council of the City of Fort Wayne, Indiana,  
24 shall be empowered to initiate an appropriation ordinance to  
25 compensate the individual elected to temporarily replace the  
26 absent member.

27 If and when a permanent replacement is elected, the  
28 absent member shall no longer be considered a member of the Fort  
29 Wayne Common Council and all compensation shall cease

30 \_\_\_\_\_  
COUNCILMAN

31 Approved as to form and legality:

32  
33 John H. Logan  
34 Attorney for the Common Council of the City of Fort Wayne,  
35 Indiana

1 BILL NO. G- 83-04-32

2 GENERAL ORDINANCE NO. G- \_\_\_\_\_

3 An Ordinance making additions to rules  
4 of the Common Council of the City of  
5 Fort Wayne, Indiana, pertaining  
6 to absent, ill or incapacitated members  
7 thereof.

8 Pursuant to authority conferred upon it by law, the  
9 Common Council of the City of Fort Wayne, Indiana, does  
10 hereby enact the following which reads as follows:

11 Section 1. Members of the Common Council absent,  
12 ill or incapacitated.

13 Whenever a member of the Common Council shall be absent  
14 from the City, ill, or incapacitated, he or she may designate  
15 a replacement who shall serve as though duly elected at all  
16 regular and special meetings of the Common Council, subject  
17 to the following restrictions:

18 a. The absent Council member shall state, under oath,  
19 the facts surrounding his or her absence and the name and  
20 address of his or her designee and shall submit same to the  
21 Clerk of the City and to the Presiding Officer of the Common  
22 Council at least 24 hours prior to the first meeting to be  
23 attended by the designee.

24 b. The designee shall reside in the same district as  
25 the Council member he or she is replacing.

26 c. A Council member shall not be permitted to designate  
27 a replacement for more than 15 days in any 60 day period.

28 d. The designation shall automatically terminate at the  
29 end of the 15th day after its commencement or upon delivery  
30 to the Clerk of the City a sworn statement of the Council  
31 member's intention to resume his or her duties.

32 Section 2. Whenever a member of the Common Council shall  
have been absent from 4 or more consecutive committee sessions,  
the Presiding Officer shall designate the next  
regular meeting of the Common Council for the



Common Council to determine, by majority vote, whether the body should name a temporary replacement for the absent member to be chosen from the district represented by the absent member.

If a majority of the Common Council votes to temporarily replace the absent member, it shall proceed to nominate and elect a temporary replacement in accordance with the rules and procedures adopted by the Common Council for the special election. The individual chosen to replace the absent member shall serve as though duly elected until one of the following occurs:

a. The absent member resigns or is removed in accordance with IC 36-4-6-6; or,

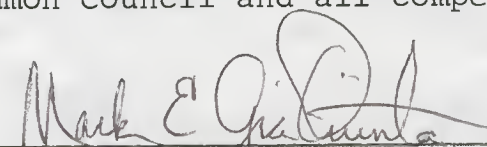
b. The absent member delivers a sworn statement of his or her intention to attend a regular session of the Common Council at least 24 hours prior to said session and does attend; or,

c. Until 5 months elapses from the date of the election of the temporary replacement.


Upon the occurrence of either a. or c., above, the temporary replacement shall become the permanent replacement for the absent member and shall serve out the term of the absent member.

The Common Council of the City of Fort Wayne, Indiana, shall be empowered to initiate an appropriation ordinance to compensate the individual elected to temporarily replace the absent member.

If and when the temporary replace becomes a permanent replacement, the absent member shall no longer be considered a member of the Fort Wayne Common Council and all compensation shall cease.

  
COUNCILMAN

Approved as to form and legality:

  
John H. Logan  
Attorney for the Common Council of the City of Fort Wayne,  
Indiana.

Attorney for the Common Council of the City of Fort Wayne,  
Indiana.

Read the first time in full and on motion by Lin Juntas, seconded by Salinas, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 4-26-83 Madelyn E. Hoff  
CITY CLERK

Read the third time in full and on motion on by \_\_\_\_\_ seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____	_____
<u>SCHOMBURG</u>	_____	_____	_____	_____	_____
<u>SCRUGGS</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: \_\_\_\_\_  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S. T

\_\_\_\_\_  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
WIN MOSES, JR. - MAYOR



## GENERAL ORDINANCE NO. G-

An Ordinance making additions to rules of the Common Council of the City of Fort Wayne, Indiana, pertaining to absent, ill or incapacitated members thereof.

Pursuant to authority conferred upon it by law, the Common Council of the City of Fort Wayne, Indiana, does hereby enact the following which reads as follows:

Section 1. Members of the Common Council absent, ill or incapacitated.

Wherever a member of the Common Council shall be absent from the City, ill, or incapacitated, he or she may <sup>submit his</sup> designate <sup>or her votes on pending ordinances and resolutions by written</sup> a replacement who shall serve as though duly elected at all <sup>in writing</sup> regular and special meetings of the Common Council, subject to the following restrictions:

a. The absent Council member shall state, under oath, <sup>the facts</sup> the facts surrounding his or her absence and <sup>the vote to be recorded</sup> the name and address of his or her designee and shall submit same to the Clerk of the City and to the Presiding Officer of the Common Council at least 24 hours prior to the <sup>at which the</sup> first meeting to be attended by the designee. <sup>ordinance or resolution is to be voted upon.</sup>

b. <sup>The vote recorded</sup> The designee shall reside in the same district as the Council member he or she is replacing.

b. <sup>At the meeting, the Clerk of the City shall write the vote of</sup> A Council member shall not be permitted to designate a replacement for more than 15 days in any 60 day period. <sup>the absent Council member when his or her name is called during the roll call on any committee vote or formal vote.</sup>

d. The designation shall automatically terminate at the end of the 15th day after its commencement or upon delivery to the Clerk of the City a sworn statement of the Council member's intention to resume his or her duties.

Section 2. Whenever a member of the Common Council shall have been absent from 4 or more consecutive committee sessions, the Presiding Officer shall designate the next regular meeting of the Common Council for the

Common Council to determine, by majority vote, whether the body should name a temporary replacement for the absent member to be chosen from the district represented by the absent member, *and pursuant to I.C. 36-4-6-2.*

If a majority of the Common Council votes to temporarily replace the absent member, it shall proceed to nominate and elect a temporary replacement in accordance with the rules and procedures adopted by the Common Council for the special election. The individual chosen to replace the absent member shall serve as though duly elected until one of the following occurs:

a. The absent member resigns or is removed in accordance with IC 36-4-6-6; or,

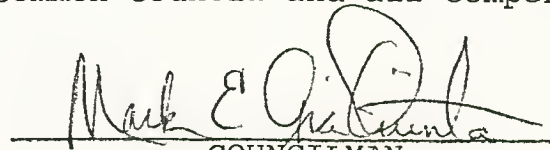
b. The absent member delivers a sworn statement of his or her intention to attend a regular session of the Common Council at least 24 hours prior to said session and does attend; or,

c. Until 5 months elapses *from* the date of the election of the temporary replacement.

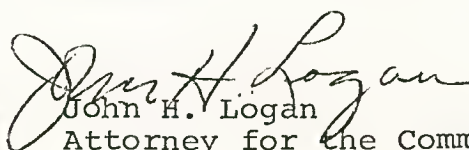
Upon the occurrence of either a. or c., above, ~~the a~~ *permanent replacement shall be elected pursuant to* ~~temporary replacement shall become the permanent replacement~~ *Indiana Code* ~~for the absent member and shall serve out the term of the~~ *absent member.*

The Common Council of the City of Fort Wayne, Indiana, shall be empowered to initiate an appropriation ordinance to compensate the individual elected to temporarily replace the absent member.

If and when ~~the temporary replace becomes~~ *is elected,* a permanent replacement, the absent member shall no longer be considered a member of the Fort Wayne Common Council and all compensation shall cease.

  
COUNCILMAN

Approved as to form and legality:

  
John H. Logan  
Attorney for the Common Council of the City of Fort Wayne, Indiana.



BILL NO. G-83-04-32 (as amended)

*Hold  
Held  
pass*

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN  
ORDINANCE making additions to rules of the Common Council of the City of  
Fort Wayne, Indiana, pertaining to absent, ill or incapacitated members thereof

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK E. GIAQUINTA, CHAIRMAN

*Mark E. Giaquinta*

JAMES S. STIER, VICE CHAIRMAN

*James S. Stier*

JANET G. BRADBURY

*Janet G. Bradbury*

SAMUEL J. TALARICO

*Samuel J. Talarico*

DONALD J. SCHMIDT

*Donald J. Schmidt*